THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No. 23332 OF 2003

Dated 25th July 2007

Between:

B.Mahendra Chary

…Petitioner

and

The Executive Officer, Gram Panchayat,
Manuguru & others.

…Respondents

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O R D E R:

The petitioner established a flour mill at his residence, in Shivalingapuram of Manuguru town, duly obtaining a licence from the Grampanchayat. On a representation made by the local residents, respondents 1 to 3 required the petitioner to stop running of the mill. The writ petition is filed challenging the action of the respondents, in interfering with the functioning of the mill during the subsistence of the licence.

Respondents 4 to 48 got themselves impleaded in this writ petition. Their case is that the mill is causing sound pollution, and that the mirchi powder, that is emanating from the mill, is causing serious hardship to the residents nearby.

Heard the learned counsel for the petitioner, learned Government Pleader for Panchayat Raj and Sri N.Subba Rao, learned

counsel for respondents 4 to 48.

By the time the writ petition was filed, there was subsisting licence in favour of the petitioner. This court granted interim order, enabling the petitioner to run the mill, in view of the said licence. However, as and when the licence becomes due for renewal, the 1st respondent has to take into account, the objections that are being raised by respondents 4 to 48, or other residents.

Hence, the writ petition is disposed of, directing that respondents 1 to 3 shall not interfere with the functioning of the mill established by the petitioner, as long as it is covered by a valid licence, and they shall take the objections or representations, that may be made by respondents 4 to 48, or other residents, into account, whenever renewal of the licence becomes due. There shall be no order as to costs.

25th July 2007

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